

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK

Case number *(if known)*

Chapter

11☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name POCMONT PROPERTIES, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 27-3101964

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

517 Oak Drive
Far Rockaway, NY 11691

Number, Street, City, State & ZIP Code

Queens

County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business
1 Bushkill Falls Road Bushkill, PA 18324

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor **POCMONT PROPERTIES, LLC**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☐ No.
- ☒ Yes.

If more than 2 cases, attach a separate list.

District **New Jersey**When **4/02/14**Case number **14-16493**

District

When

Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor

Relationship

District

When

Case number, if known

Debtor **POCMONT PROPERTIES, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **POCMONT PROPERTIES, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 15, 2019**
MM / DD / YYYY**X /s/ Saul Kessler**

Signature of authorized representative of debtor

Saul Kessler

Printed name

Title **Manager****18. Signature of attorney****X /s/ Robert J. Spence**

Signature of attorney for debtor

Date **September 15, 2019**

MM / DD / YYYY

Robert J. Spence

Printed name

Spence Law Office, P.C.

Firm name

**55 Lumber Road
Suite 5
Roslyn, NY 11576**

Number, Street, City, State & ZIP Code

Contact phone **516-336-2060**Email address **rspence@spencelawpc.com****rs3506 NY**

Bar number and State

**United States Bankruptcy Court
Eastern District of New York**

In re **POCMONT PROPERTIES, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: **September 15, 2019****/s/ Saul Kessler****Saul Kessler/Manager**

Signer/Title

Date: **September 15, 2019****/s/ Robert J. Spence**

Signature of Attorney

Robert J. Spence**Spence Law Office, P.C.****55 Lumber Road****Suite 5****Roslyn, NY 11576****516-336-2060 Fax: 516-605-2084**

COMPANY RESOLUTION FOR POCMONT PROPERTIES, LLC

The undersigned, the manager of Pocmont Properties, LLC (hereinafter, "Manager"), a limited liability company (hereinafter, the "Company"), does hereby certify that on the 15th day of September, 2019, the following resolutions were adopted on behalf of the Company by consent of the Member(s) and/or Majority of Kesslers (as such term is defined under the operating agreement), and they have not been modified or rescinded, and are still in full force and effect:

RESOLVED, that it is desirable and in the best interests of Pocmont that Saul Kessler, the Manager of Pocmont, be empowered to cause a petition under Chapter 11 of the United States Bankruptcy Code to be filed by Pocmont in the Eastern District of New York for the protection of Pocmont and the preservation of its assets; and it is further

RESOLVED, that Saul Kessler, as Manager, be, and he hereby is, authorized to execute and file all petitions, schedules, lists and other papers, to make all appearances before the Bankruptcy Court, and to take any and all action which he may deem necessary or proper in connection with such proceedings under Chapter 11, and it is further

RESOLVED, in connection with the bankruptcy filing, the Manager is authorized to retain and employ Spence Law Office, P.C. as Pocmont's general bankruptcy counsel in the bankruptcy case, and to retain and employ all assistance by other professionals which he may deem necessary or proper with a view to the successful conclusion of such reorganization case.

IN WITNESS WHEREOF, the undersigned, having the full authority to do so, has hereunto set his hand, this 15th day of September 2019.

POCMONT PROPERTIES, LLC

By: 

Name: Saul Kessler

Title: Manager

Lehman Twnsp TaxCollector
Bonnie Vanwhy Wargo
136 Vanwhy Rd
Bushkill, PA 18324

Met-Ed
P.O. Box 3687
Akron, OH 44309-3687

Pike County Tax Claim Bur
Administrative Bldg
506 Broad St
Milford, PA 18337-1596

US Small Business Admin
Little Rock Svc Center
2120 Riverfront Dr
Ste `100
Little Rock, AR 72202

Verizon
222 S Main St
Wilkes Barre, PA 18701